

REMARKS

Claim 7 has been canceled, without disclaimer or prejudice. Claims 1-6 are pending of which Claim 1 has been amended to more clearly recite one of the distinguishing features of the present invention, Claim 4 has been amended to correct minor typographical errors and Claim 6 has been amended to incorporate the limitations of Claim 7. Claims 8-17 have been added to recite further embodiments of Applicants' invention disclosed in the application. This application has been carefully considered in connection with the Examiner's action. In light of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and full allowance of all pending claims.

Claims 1 and 4-6 stand rejected under 35 U.S.C. § 102(e), assertedly as being anticipated by U.S. Patent No. 6,512,740 Baniewicz ("Baniewicz"). Additionally, Claims 2 and 3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Baniewicz in view of U.S. Patent No. 6,130,875 to Doshi ("Doshi"). In response, Applicant respectfully traverses these rejections.

Claims 1-5

Applicants' invention as recited in Claim 1 recites the step of "outputting a message from each spare link of each of the nodes to the adjacent node to which the spare link is connected, wherein at least two of the nodes are interconnected with a plurality of spare links." (Emphasis added.)

In contrast, Baniewicz discloses "the communication of keep-alive messages . . . on spare links, for the purpose of identifying neighboring nodes." (Baniewicz, col. 7, lines 20-23.) However, Baniewicz fails to disclose "outputting a message from each spare link of each of the nodes to the adjacent node to which the spare link is connected, wherein at least two of the nodes are interconnected with a plurality of spare links" as recited in Applicants' Claim 1. (Emphasis added.) Accordingly, it is respectfully requested that the rejection of Claim 1 under 35 U.S.C. § 102(e) as being anticipated by Baniewicz be withdrawn.

Claims 2-5 depend from and further limit independent Claim 1 in a patentable sense and, for this reason, as well as reciting further limitations, are also deemed to be in condition for allowance. Accordingly, it is respectfully requested that the rejections of dependent Claims 2-5 be withdrawn as well.

Claim 6

Claim 6 has been amended to incorporate the limitations contained in dependent Claim 7, which contains limitations not disclosed by Baniewicz. Specifically, Baniewicz fails to disclose the element "a fourth field for identifying the message to be a message that is *continuously* transmitted and exchanged along spare links . . ." (Emphasis added.)

The Office Action asserts that Figure 7 and column 7 of Baniewicz discloses that the messages are continuously transmitted and exchanged along spare links. Figure 7 illustrates "the connection via spare link 92 between node 94 and node 96" (Baniewicz, col. 7, lines 23-25), and column 7 discloses "the communication of keep-alive messages . . . on spare links" (Baniewicz, col. 7, lines 20-23). Furthermore, Baniewicz discloses that the keep-alive messages are "for the purpose of identifying neighboring nodes." (Baniewicz, col. 7, lines 20-23). Baniewicz, however, fails to disclose "a message that is *continuously* transmitted" as recited in Applicants' Claim 6.

Accordingly, it is respectfully requested that the rejection of Claim 6 under 35 U.S.C. § 102(e) as being anticipated by Baniewicz be withdrawn.

Claims 8-17

Claims 8-17 have been added to recite further embodiments disclosed in Applicants' invention. In particular, Claim 8 recites, among other things, that the messages are sent continuously, and Claim 13 recites, among other things, that each spare link is identified prior to a failure. Neither of these features are disclosed in the cited references and accordingly, are patentable over those references. Claims 9-12 and 14-17 depend from and further limit independent Claims 8 and 13, respectively, in a patentable sense and, for this reason and the reasons set forth above, are also deemed to be patentable over the cited references. All of the added claims are supported by the specification and, therefore, add no new matter.

Summary

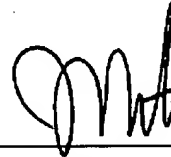
In view of the above, Applicants respectfully submit that the application is in condition for allowance and request that the Examiner pass the case to issuance. If the Examiner should have any questions, Applicants request that the Examiner contact Applicants' attorney at the address below. Applicants believe fee in the amount of \$84.00 is due in connection with this

filing. However, in the event that there are any additional fees due, please charge the same, or credit any overpayment, to Deposit Account No. 13-2491.

Respectfully submitted,

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Date



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